Teaching Regulation Agency

Mr David Brereton: Professional conduct panel hearing outcome

Panel decision and reasons

October 2026

Contents

Introduction 3

Allegations 4

Summary of evidence 9

Documents 9

Witnesses 9

Decision and reasons 9

Findings of fact 10

Panel’s recommendation to the Secretary of State 13

Decision and reasons on behalf of the Secretary of State 16

Professional conduct panel decision

Teacher: Mr David Brereton

TRA reference: 21244

Date of determination: 27 October 2026

Former employer: City of Stoke on Trent Sixth Form College, Stoke on Trent

Introduction

A professional conduct panel ("the panel") of the Teaching Regulation Agency ("the TRA") convened on 30 September 2026 to 2 October 2026 and on 27 October 2026 by way of a virtual hearing, to consider the case of Mr David Brereton.

The panel members were Mrs Michelle Chappell (teacher panellist – in the chair) Miss Faye Darlington (lay panellist), and Mr Steve Boocock (lay panellist).

The legal adviser to the panel was Mr Jermel Anderson of Blake Morgan LLP solicitors.

The presenting officer for the TRA was Mr Alexander Barnfield of Capsticks LLP solicitors.

Mr Brereton was not present on the first day of the hearing. Mr Brereton subsequently attended and was present for the remainder of the hearing and was not represented.

The hearing took place in public and was recorded.

Allegations

The panel considered the allegations set out in the notice of proceedings dated 6 July 2026.

It was alleged that Mr Brereton was guilty of unacceptable professional conduct and/ or conduct that may bring the profession into disrepute in that, while employed as a teacher at City of Stoke on Trent Sixth Form College ("the School"):

1. Between December 2021 and June 2022, he failed to maintain appropriate professional boundaries with Pupil A in that he:

    a. On one or more occasions exchanged emails with Pupil A unrelated to Pupil A's education and/or outside of School hours as set out in Schedule 1;

    b. In or around December 2021, he:

        i. Called Pupil A using your personal mobile number;

        ii. Commented that Pupil A could store his personal mobile number as set out in Schedule 2;

    c. Gave Pupil A a nickname;

    d. Provided Pupil A with his social media details;

    e. Discouraged Pupil A from telling anyone that Pupil A had his personal mobile number.

2. Between March 2022 and April 2022, he failed to maintain professional boundaries with Pupil B in that he on one or more occasions exchanged emails unrelated to Pupil B's education and/ or work and/or outside of School hours as set out in Schedule 3

[REDACTED].

Mr Brereton made admissions to all of the allegations. Mr Brereton also made admissions to the facts amounting to both unacceptable professional conduct and conduct that may bring the profession into disrepute.

Summary of evidence

Documents

In advance of the hearing, the panel received a bundle of documents which included:

Section 1: Chronology, anonymised pupil list and list of key people – pages 3 to 6

Section 2: Notice of proceedings and response – pages 7 to 72

Section 3: Teaching Regulation Agency witness statements and exhibits – pages 73 to 347

Section 4: Other Relevant Teaching Regulation Agency documents – pages 348 to 363

Section 5: Teacher documents – pages 364 to 368

The panel members confirmed that they had read all of the documents within the bundle, in advance of the hearing.

In the consideration of this case, the panel had regard to the document Teacher misconduct: Disciplinary procedures for the teaching profession 2020, (the "Procedures").

Witnesses

The panel heard oral evidence from the following witnesses called by the presenting officer:

Witness A – [REDACTED]

Mr Brereton also gave evidence before the panel.

Decision and reasons

The panel announced its decision and reasons as follows:

The panel carefully considered the case before it and reached a decision.

Mr Brereton was previously employed by the School.

In May 2022, the School conducted an examination of Mr Brereton's school email account following concerns raised about his interaction with pupils. It found that there were over 475 emails exchanged between Mr Brereton and Pupil A, over a seven-month period.

Following the examination, the School informed the LADO of the situation on 13 June 2022, and a multi-agency strategy meeting then took place on 16 June 2022. The Police participated in a joint visit to Pupil A on 17 June 2022 alongside the School's [REDACTED]. The Police subsequently had no further involvement in the matter.

The School appointed an independent investigator on 20 June 2022. The Investigation took place on 22 June 2022. The School disciplinary hearing took place on 14 September 2022. On 29 September 2022, Mr Brereton appealed the decision, and an appeal hearing was conducted on 18 October 2022.

The School referred Mr Brereton to the TRA on 10 November 2022.

Findings of fact

The findings of fact are as follows:

The panel found the following particulars of the allegations against you proved, for these reasons:

1.Between December 2021 and June 2022, you failed to maintain appropriate professional boundaries with Pupil A in that you:

When considering this allegation, the panel noted that it needed to have regard to the question of the maintenance of appropriate professional boundaries. It considered that this required it to consider the appropriate responsibilities relating to Mr Brereton's professional practice and whether he had deviated from these through any actions that may be found proved.

a. On one or more occasions exchanged emails with Pupil A unrelated to Pupil A's education and/or outside of School hours as set out in Schedule 1;

The panel noted that this allegation was admitted by Mr Brereton. The panel additionally noted that it had sight of the emails as set out within the schedule. It considered that within the emails as set out in Schedule 1 there were unequivocal examples of Mr Brereton exchanging emails with Pupil A, outside of School hours, in relation to matters that were not connected to Pupil A's education.

The panel was however careful to consider this in the context of the appropriate professional boundaries of Mr Brereton. It noted that the subject matter varied but concerned things that were beyond the scope of what could be considered appropriate or within the expected boundaries of a teacher – pupil relationship. It noted, for example that the emails referred to the consumption of alcohol, [REDACTED]. It considered that this could not be regarded as within the appropriate boundaries of the dynamic, given the reality that it appeared to be the endorsement of the pupil engaging in the consumption of alcohol when she was [REDACTED].

The panel noted that through his evidence, Mr Brereton had advanced that the timing of his emails was largely attributable to the fact that he often sent emails in the evenings due to the nature of his work demands. The panel noted that this was plausible in the context of a high-demanding work environment as a teacher and leader within a school.

The panel determined that regardless of the reasons for Mr Brereton communicating with the pupil outside of work hours, he had still behaved inappropriately. The panel acknowledged that the email exchanges appeared to mostly be initiated by Pupil A. It however considered that this was not relevant when considering whether Mr Brereton had acted appropriately.

The panel determined that Mr Brereton had been under an obligation to maintain professional boundaries with Pupil A. By exchanging emails with her that were unrelated to her education, he had failed to adhere to this obligation, evidenced by the nature of the emails that he sent.

The panel accordingly found Allegation 1a) proved.

b. In or around December 2021, you:

ii. Commented that Pupil A could store your personal mobile number as set out in Schedule 2;

The panel noted that Mr Brereton admitted this allegation. It additionally considered that within Schedule 2; it had sight of correspondence whereby Mr Brereton had suggested to Pupil A that it would be appropriate to store his phone number. The panel noted that Mr Brereton may have accidentally given his number to Pupil A, as set out in the panel's findings in relation to Allegation 1b) i). It however did not consider that this could detract from the conduct as evidenced within the relevant email.

The panel considered that Mr Brereton was duty bound as a professional to not provide his personal phone number to students as made clear by the evidence of Witness A, who categorically detailed through her evidence that teachers were not permitted to give their phone numbers to pupils. It considered that whilst Mr Brereton may have inadvertently done this, the messages as set out in Schedule 2 indicate that he had endorsed Pupil A retaining his phone number which was indicative of him failing to adhere to his duties as a teacher.

The panel accordingly found Allegation 1b) ii) proved.

d. Provided Pupil A with your social media details;

The panel acknowledged that this allegation was admitted by Mr Brereton. In addition, it noted that within the email exchange as provided by the TRA, it had sight of an email from Mr Brereton to Pupil A, sent on 15 February 2022, stating [REDACTED]. The panel accordingly determined that it had evidence of Mr Brereton providing his social media details to Pupil A.

The panel considered that as a teacher, Mr Brereton was under an obligation to maintain appropriate professional boundaries with pupils. It considered that the disclosure of his personal social media account was contrary to this duty and that there was no justification present for any such deviation in the context within which the details were given. It additionally noted that through her evidence, Witness A had given a clear account whereby she explained that she had delivered training, in her capacity as [REDACTED], explicitly stating to teachers that they were not to share their social media details with pupils. The panel considered this account by Witness A to be compelling in the circumstances.

The panel accordingly found Allegation 1d) proved.

e. Discouraged Pupil A from telling anyone that Pupil A had your personal mobile number.

The panel recognised that Mr Brereton admitted this allegation. It additionally noted that it had sight of email exchanges between him and Pupil A, whereby he had told Pupil A not to tell anyone that she had his personal mobile number. It had regard to an email that he sent to Pupil A on 27 December 2021 which read, [REDACTED]. The panel considered this to be a clear demonstration of Mr Brereton advising Pupil A not to disclose to any other parties that she had his number.

The panel considered that as above, Mr Brereton was under an obligation to not share his personal mobile number with pupils. In circumstances where he was under such an obligation, an explicit attempt at concealing this was a clear breach of his obligations.

The panel accordingly found Allegation 1e) proved.

2. Between March 2022 and April 2022, you failed to maintain professional boundaries with Pupil B in that you on one or more occasions exchanged emails unrelated to Pupil B's education and/ or work and/or outside of School hours as set out in Schedule 3.

When considering this allegation, the panel had regard to the fact that it was admitted by Mr Brereton. It also considered that it had sight of several emails that were exchanged between Mr Brereton and Pupil B within the bundle.

The panel noted that the origin of the email exchanges, may have been related to the pupil's work, but it had regard for the fact that the conversations appeared to evolve into personal discussions, not related to schoolwork. The panel noted that Mr Brereton had made references which included parties and drinking during his email exchanges with Pupil B, such as, [REDACTED]. The panel noted that the timing of the exchanges being outside of School hours was not in and of itself a basis for a determination that the appropriate professional boundaries had not been respected by Mr Brereton. It however considered that the subject matter of drinking alcohol and partying was indicative of Mr Brereton not adhering to the duty that was incumbent upon him to maintain his professional boundaries with Pupil B.

The panel accordingly found Allegation 2 proved.

The panel found the following particulars of the allegations against you not proved, for these reasons:

1. Between December 2021 and June 2022, you failed to maintain appropriate professional boundaries with Pupil A in that you:

b. In or around December 2021, you:

i. Called Pupil A using your personal mobile number;

The panel noted that this Allegation was admitted by Mr Brereton. It nevertheless considered the basis on which it was admitted and made its own determination.

It noted that Mr Brereton had given an account whereby he had stated that he had inadvertently disclosed his personal phone number to Pupil A, having been asked to call her by a colleague during a short break between lessons. During his oral evidence, he stated that he had *"forgotten to 141 it".* The panel noted that Mr Brereton had given a consistent account in relation to this and that he had maintained that it was an inadvertent disclosure during the School's investigation, stating *"Unfortunately I had not realised until after the call that I had not put 141 before I typed the number so my phone number would have come up on her phone, so would have been in her call log (she has stated this in an email)"* in response to investigative questions in July 2022. The panel accordingly considered this explanation compelling in the absence of any evidence presented in the alternative.

The panel determined that in circumstances where Mr Brereton had not intended to give his phone number to Pupil A, he could not be said to have failed to maintain his professional boundaries with Pupil A.

The panel accordingly found Allegation 1b) i) not proved.

c. Gave Pupil A a nickname;

The panel noted that this Allegation was admitted by Mr Brereton. The panel however considered the basis of Mr Brereton's admission and considered all of the evidence that had been placed before it, before making its own determination in relation to this allegation.

The panel noted that Mr Brereton's explanation during his evidence was that as a PE teacher, it was commonplace to refer to pupils using shortened versions of their names. It was advanced that this was a cultural norm within sporting environments. The panel considered that this was plausible, in circumstances where there was no evidence presented to the contrary; it had regard to the evidence of Witness A, who suggested that using diminutive names for pupils would always be inappropriate, however, it did not consider that this evidence could properly account for the sporting and physical education environment.

The panel also noted that the allegation specifically suggested that Mr Brereton was the origin of the nickname. It noted that within the emails provided by the TRA, it had sight of an exchange whereby Pupil A stated to Mr Brereton, [REDACTED]. It considered that in the absence of any evidence to the contrary, this appeared to be the best evidence of where the nickname may have originated. The panel was accordingly not persuaded that Mr Brereton could be said to have come up with the nickname or to have given it to Pupil A.

The panel accordingly found Allegation 1c) not proved.

Findings as to unacceptable professional conduct and/or conduct that may bring the profession into disrepute

Having found a number of the allegations proved, the panel went on to consider whether the facts of those proved allegations amounted to unacceptable professional conduct and/or conduct that may bring the profession into disrepute.

In doing so, the panel had regard to the document Teacher misconduct: The prohibition of teachers, which is referred to as “the Advice”.

The panel first considered whether the conduct of Mr Brereton in relation to the facts found proved, involved breaches of the Teachers’ Standards.

The panel considered that, by reference to Part 2, Mr Brereton was in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
    - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards....

The panel was not satisfied that the conduct of Mr Brereton in relation to the facts found proved, involved breaches of Keeping Children Safe In Education (“KCSIE”).

The panel was not satisfied that the conduct of Mr Brereton in relation to the facts found proved, involved breaches of Working Together to Safeguard Children.

The panel also considered whether Mr Brereton’s conduct displayed behaviours associated with any of the offences listed on pages 12 and 13 of the Advice.

The Advice indicates that where behaviours associated with such an offence exist, a panel is likely to conclude that an individual’s conduct would amount to unacceptable professional conduct.

The panel found that none of these offences were relevant.

The panel considered that the volume of communication with Pupil A was a significant factor in respect of its findings in respect of Allegation 1. It additionally considered that throughout all of its findings, Mr Brereton had acted outside the appropriate professional boundaries and had demonstrated a lack of appropriate judgment.

The panel considered that Mr Brereton had engaged in unacceptable behaviour through his emails to Pupil A. It considered that emails to Pupil A that breached appropriate professional boundaries including:

- emails that concerned matters that were not relevant to her school work;

- emails that advised Pupil A that it was acceptable to store his personal phone number;
- an email where he provided Pupil A with his social media details; and
- emails whereby he discouraged Pupil A from disclosing that she had his personal phone number.

The panel considered that all of this conduct amounted to misconduct that was far below what was expected of him as a teacher. It additionally noted that Mr Brereton had exchanged emails with Pupil B in a manner that was outside of appropriate professional boundaries. The panel considered that this also fell short of the standards expected of him and was not acceptable in the circumstances.

For these reasons, the panel was satisfied that the conduct of Mr Brereton amounted to misconduct of a serious nature which fell significantly short of the standards expected of the profession.

Accordingly, the panel was satisfied that Mr Brereton was guilty of unacceptable professional conduct.

In relation to whether Mr Brereton's actions amounted to conduct that may bring the profession into disrepute, the panel took into account the way the teaching profession is viewed by others. It considered the influence that teachers may have on pupils, parents and others in the community. The panel also took account of the uniquely influential role that teachers can hold in pupils' lives and the fact that pupils must be able to view teachers as role models in the way that they behave.

In considering the issue of disrepute, the panel also considered whether Mr Brereton's conduct displayed behaviours associated with any of the offences in the list that begins on page 12 of the Advice.

As set out above in the panel's findings as to whether Mr Brereton was guilty of unacceptable professional conduct, the Panel found that none of these offences were relevant.

The panel considered that Mr Brereton's conduct could potentially damage the public's perception of a teacher. It noted that he had breached the appropriate professional boundaries on multiple occasions and in relation to different pupils. It formed the view that this could unacceptably compromise the way that the teaching profession is viewed by members of the public. It additionally considered that it could have a detrimental impact upon colleagues, due to the potential for reputational harm.

As a leader within the School, the panel considered that the prospect of the profession being brought into disrepute by Mr Brereton's actions was significant. It noted that he was particularly experienced and considered that he therefore could hold a particularly influential role within the School environment and the wider community.

For these reasons, the panel found that Mr Brereton's actions constituted conduct that may bring the profession into disrepute.

Panel's recommendation to the Secretary of State

Given the panel's findings in respect of unacceptable professional conduct and conduct that may bring the profession into disrepute, it was necessary for the panel to go on to consider whether it would be appropriate to recommend the imposition of a prohibition order by the Secretary of State.

In considering whether to recommend to the Secretary of State that a prohibition order should be made, the panel had to consider whether it would be an appropriate and proportionate measure, and whether it would be in the public interest to do so. Prohibition orders should not be given in order to be punitive, or to show that blame has been apportioned, although they are likely to have punitive effect.

The panel had regard to the particular public interest considerations set out in the Advice and, having done so, found a number of them to be relevant in this case, namely:

- the safeguarding and wellbeing of pupils and the protection of other members of the public;
- the maintenance of public confidence in the profession; and
- declaring and upholding proper standards of conduct.

In the light of the panel's findings against Mr Brereton which involved inappropriate communication with a sixth form pupil, there was a strong public interest consideration in relation to all of the above considerations.

There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the findings of inappropriate communication with a pupil.

Similarly, the panel considered that public confidence in the profession could be seriously weakened if conduct such as that found against Mr Brereton were not treated with the utmost seriousness when regulating the conduct of the profession.

The panel was of the view that a strong public interest consideration in declaring proper standards of conduct in the profession was also present as the conduct found against Mr Brereton was outside that which could reasonably be tolerated.

In addition to the public interest considerations set out above, the panel went on to consider whether there was a public interest in retaining Mr Brereton in the profession.

The panel decided that there was a public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a valuable contribution to the profession as an experienced teacher with no previous findings recorded against him.

In view of the clear public interest considerations that were present, the panel considered carefully whether or not it would be proportionate to impose a prohibition order, taking into account the effect that this would have on Mr Brereton.

The panel took further account of the Advice, which suggests that a prohibition order may be appropriate if certain behaviours of a teacher have been proved. In the list of such behaviours, those that were relevant in this case were:

- serious departure from the personal and professional conduct elements of the Teachers' Standards;
- misconduct seriously affecting the education and/or safeguarding and well-being of pupils, and particularly where there is a continuing risk;
- abuse of position or trust (particularly involving pupils);

Even though some of the behaviour found proved in this case indicated that a prohibition order would be appropriate, the panel went on to consider the mitigating factors. Mitigating factors may indicate that a prohibition order would not be appropriate or proportionate.

In the light of the panel's findings:

The panel considered that there was no evidence that Mr Brereton's actions were not deliberate. It also noted that there was no evidence that he was acting under duress. [REDACTED].

The panel noted that Mr Brereton had not been subject to any previous regulatory or disciplinary findings. It also noted that Mr Brereton had largely accepted the conduct as alleged and had engaged with the School and the TRA throughout the relevant investigations. The panel considered that Mr Brereton's actions were relatively

transparent and that he had not been found to have communicated with pupils in a clandestine manner. Mr Brereton and the pupils had used school email to communicate and there appeared to be a legitimate purpose at the source of some of the communication insofar as Mr Brereton was actively responding to pupil questions about work and providing educational support.

The panel considered that there was a degree of uncertainty in relation to the IT policy at the School. It noted that Mr Brereton's position had been that he would often work into the evenings due to his responsibilities outside of work, and therefore, the timings of some of the communications were understandable in the circumstances. It also recognised that the IT policy did not prohibit the type of communication as found proven in explicit terms, instead relying upon individual professional judgment, which Mr Brereton had failed to adequately exercise.

The panel considered that Mr Brereton, whilst accepting that his actions were inappropriate, may wish to reflect further on the potential risks associated with his conduct as an experienced teacher and a leader within the School environment. It additionally noted that whilst his conduct was not towards the most serious end of the scale, it could have been far more consequential.

The panel first considered whether it would be proportionate to conclude this case with no recommendation of prohibition, considering whether the publication of the findings made by the panel would be sufficient.

The panel was of the view that, applying the standard of the ordinary intelligent citizen, the recommendation of no prohibition order would be both a proportionate and an appropriate response. Given that the nature and severity of the behaviour were at the less serious end of the possible spectrum and, having considered the mitigating factors that were present, the panel determined that a recommendation for a prohibition order would not be appropriate in this case. The panel considered that the publication of the adverse findings it had made was sufficient to send an appropriate message to the teacher as to the standards of behaviour that are not acceptable, and the publication would meet the public interest requirement of declaring proper standards of the profession.

The panel accordingly made no recommendation to the Secretary of State that a prohibition order should be imposed. The panel was satisfied that the publication of adverse findings was sufficient, proportionate and appropriate in the circumstances.

Decision and reasons on behalf of the Secretary of State

I have given very careful consideration to this case and to the recommendation of the panel in respect of sanction.

In considering this case, I have also given very careful attention to the Advice that the Secretary of State has published concerning the prohibition of teachers.

In this case, the panel has found some of the allegations proven and found that those proven facts amount to unacceptable professional conduct and/or conduct that may bring the profession into disrepute. In this case, the panel has found some of the allegations not proven and I have therefore put those matters entirely from my mind.

The panel has made a recommendation to the Secretary of State that Mr David Brereton should not be the subject of a prohibition order. The panel has recommended that the findings of unacceptable professional conduct and conduct likely to bring the profession into disrepute should be published and that such an action is proportionate and in the public interest.

In particular, the panel has found that Mr Brereton is in breach of the following standards:

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by
    - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach, and maintain high standards....

The panel has found that the conduct of Mr Brereton fell significantly short of the standards expected of the profession.

I have to determine whether the imposition of a prohibition order is proportionate and in the public interest. In considering that for this case, I have considered the overall aim of a prohibition order which is to protect pupils and to maintain public confidence in the profession. I have considered the extent to which a prohibition order in this case would achieve that aim taking into account the impact that it will have on the individual teacher. I have also asked myself whether a less intrusive measure, such as the published finding of unacceptable professional conduct or conduct likely to bring the profession into disrepute, would itself be sufficient to achieve the overall aim. I have to consider whether the consequences of such a publication are themselves sufficient. I have considered

therefore whether or not prohibiting Mr Brereton, and the impact that will have on the teacher, is proportionate and in the public interest.

In this case, I have considered the extent to which a prohibition order would protect children and safeguard pupils. The panel has observed:

> "There was a strong public interest consideration in respect of the safeguarding and wellbeing of pupils, given the findings of inappropriate communication with a pupil."

A prohibition order would therefore prevent such a risk from being present in the future.

The panel has not commented directly on insight and remorse. However, the panel has noted that "Mr Brereton had largely accepted the conduct as alleged and had engaged with the School and the TRA throughout the relevant investigations." The panel has also observed that "Mr Brereton, whilst accepting that his actions were inappropriate, may wish to reflect further on the potential risks associated with his conduct as an experienced teacher and a leader within the School environment." I have therefore given this element some weight in reaching my decision.

I have gone on to consider the extent to which a prohibition order would maintain public confidence in the profession. The panel has observed:

> "The panel considered that Mr Brereton's conduct could potentially damage the public's perception of a teacher. It noted that he had breached the appropriate professional boundaries on multiple occasions and in relation to different pupils. It formed the view that this could unacceptably compromise the way that the teaching profession is viewed by members of the public. It additionally considered that it could have a detrimental impact upon colleagues, due to the potential for reputational harm.
>
> As a leader within the School, the panel considered that the prospect of the profession being brought into disrepute by Mr Brereton's actions was significant. It noted that he was particularly experienced and considered that he therefore could hold a particularly influential role within the School environment and the wider community."

I am particularly mindful of the finding of failing to maintain appropriate professional boundaries with pupils in this case and the impact that such a finding has on the reputation of the profession.

I have had to consider that the public has a high expectation of professional standards of all teachers and that the public might regard a failure to impose a prohibition order as a

failure to uphold those high standards. In weighing these considerations, I have had to consider the matter from the point of view of an “ordinary intelligent and well-informed citizen.”

I have considered whether the publication of a finding of unacceptable professional conduct and conduct likely to bring the profession into disrepute, in the absence of a prohibition order, can itself be regarded by such a person as being a proportionate response to the misconduct that has been found proven in this case.

I have also considered the impact of a prohibition order on Mr Brereton himself. The panel has commented:

> “The panel decided that there was a public interest consideration in retaining the teacher in the profession, since no doubt had been cast upon his abilities as an educator and he is able to make a valuable contribution to the profession as an experienced teacher with no previous findings recorded against him.”

A prohibition order would prevent Mr Brereton from teaching. A prohibition order would also clearly deprive the public of his contribution to the profession for the period that it is in force.

I have noted the panel’s findings that there was no evidence that Mr Brereton’s actions were not deliberate or that he was acting under duress. However, in this case I have placed more weight on the panel’s findings on other mitigating factors. In particular, I have noted the panel’s comment that “Mr Brereton’s actions were relatively transparent and that he had not been found to have communicated with pupils in a clandestine manner. Mr Brereton and the pupils had used school email to communicate and there appeared to be a legitimate purpose at the source of some of the communication insofar as Mr Brereton was actively responding to pupil questions about work and providing educational support.”

I have also placed considerable weight on the panel’s comments that “the nature and severity of the behaviour were at the less serious end of the possible spectrum” in this case.

For these reasons, I have concluded that a prohibition order is not proportionate or in the public interest. I consider that the publication of the findings made would be sufficient to send an appropriate message to the teacher as to the standards of behaviour that were not acceptable and that the publication would meet the public interest requirement of declaring proper standards of the profession.



Decision maker: David Oatley

Date: 28 October 2026

This decision is taken by the decision maker named above on behalf of the Secretary of State.